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17 SUPREME COURT OF WASHINGTON  
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20 DAVID T. MCDONALD, ET AL.,  
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22 Petitioners,  
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25 v.  
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27 SECRETARY OF STATE SAM REED, ET  
28 AL.,  
29

30 Respondents.  
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NO.

DECLARATION OF ERIN  
KOLKMEYER IN SUPPORT OF  
PETITION FOR WRIT OF  
MANDAMUS

36 I, Erin Kolkmeier, declare under penalty of perjury of the laws of the State of  
37 Washington that the following is true and correct:  
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39 1. I am over the age of 18, am competent to be a witness herein, and make this  
40 declaration based on my own personal knowledge.  
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42 2. On September 29, 2004, I registered to vote in Whitman County at the  
43 Washington Department of Licensing in Pullman, when I applied for and received my  
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DECLARATION OF JEREMY HIEBEL IN  
SUPPORT OF PETITION FOR WRIT OF  
MANDAMUS - 1

[Kolkmeier Declaration[1]]

Perkins Coie LLP  
1201 Third Avenue, Suite 4800  
Seattle, Washington 98101-3099  
Phone: (206) 359-8000  
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1 Washington driver's license. On that date, I completed all requested information on the  
2 registration form, I signed the form, and submitted it to that office.  
3

4 3. In the week prior to November 2, 2004, I contacted the Democratic Party  
5 Office in Pullman to determine my polling place location because I had not received that  
6 information from Whitman County. On November 2, 2004, I went to the assigned polling  
7 place for my precinct to vote in the General Election, but a poll worker informed me that my  
8 name did not appear on the list of registered voters in Whitman County. I was offered the  
9 opportunity to vote a provisional ballot. I did vote a provisional ballot and completed all  
10 requested information on the envelope. I then placed the envelope, which contained my  
11 completed ballot, in the ballot box.  
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20 4. During the week of November 29, 2004, I received a letter from Eunice  
21 Coker, Whitman County Auditor, stating that my ballot had not been counted because I was  
22 not registered to vote in Whitman County. I immediately called Ms. Coker to object since I  
23 had registered. After I told Ms. Coker where and when I had completed and submitted my  
24 voter registration, she told me that the Pullman Department of Licensing had failed to  
25 properly submit my registration and the registrations of many other voters in Whitman  
26 County.  
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34 5. I called the Department of Licensing and was referred to District Manager  
35 Cindy Drake. She informed me that registration through the Department of Licensing is a  
36 two-step process. In the first step, the Department of Licensing submits voters' information  
37 to the Secretary of State's Office. In the second step, the Secretary of State's Office submits  
38 the registration to the proper county auditor's office. Ms. Drake informed me that Pam  
39 Floyd from the Secretary of State's Office would contact me.  
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DECLARATION OF JEREMY HIEBEL IN  
SUPPORT OF PETITION FOR WRIT OF  
MANDAMUS - 2

[/Kolkmeier Declaration[1]]

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6. On November 6, 2004, Ms. Floyd contacted me concerning my situation. She expressed regret and apologized profusely, but said that I was “a victim of the system” and that my registration had not been properly handled between the two agencies involved. Ms. Floyd informed me that that due to the sheer volume of registration papers processed, my registration had likely been simply lost. She further informed me that her office has already scheduled a meeting with the Department of Licensing for January to reform the interaction between the agencies and address the problems that led to the failure to properly process voter registrations such as mine.

DATED this 6<sup>th</sup> day of December, 2004 in Pullman Washington

  
Erin Kolkmeyer

DECLARATION OF JEREMY HIEBEL IN  
SUPPORT OF PETITION FOR WRIT OF  
MANDAMUS - 3

[/Kolkmeier Declaration[1]]

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On December 6, 2004, Pam Floyd called me as a representative for the Secretary of State's office. During our conversation, Mrs. Floyd stated that she had talked to six other people with voter registration problems like mine. This was one of her reasons for wanting to reform the Dept. of Licensing registration process.

Erin Volkmeier  
December 7, 2004